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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000591

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TAGS: [PGOV](#) [KDEM](#) [SCUL](#) [SOCI](#) [VE](#)
SUBJECT: STUDENT LEADER SEEKS ASYLUM

REF: A. 06 CARACAS 001627
[1](#)B. 06 CARACAS 001713
[1](#)C. 06 CARACAS 001915

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Classified By: POLITICAL COUNSELOR ROBERT DOWNES
FOR REASON 1.4 (b)

[1](#)1. (SBU) SUMMARY. Opposition student leader Nixon Moreno emerged from nine months of hiding and petitioned for political asylum March 13 at the Papal Nunciature. The BRV is pursuing criminal charges against Moreno for attempted murder and threatening a policewomen during student clashes at the University of the Andes (ULA) in May 2006, along with separate charges of inciting public disorder following the coup of April 2002. The pro-government student organization Bolivarian Federation of Students (FBE) accused Moreno March 17 of working with USG agencies to destabilize Venezuela. Moreno has a long history of conflict with the BRV. Judging from the government's initial response to his reappearance, it does not appear the BRV has any intention of withdrawing its charges against Moreno. The Papal Nuncio is in discussions with FM Maduro and is also talking to countries which might grant Moreno asylum. END SUMMARY.

[1](#)2. (C) PolCouns and Poloff met March 15 with Papal Nunciature DCM Monsignor Joseph Spiteri to discuss Moreno's case. According to Spiteri, Moreno's petition for "diplomatic protection" "came as a surprise," although he said the manner in which it was executed indicates the appeal for asylum was very well planned. Spiteri said Moreno parked his vehicle in front of the main entrance gate, jumped the gate, and told the porter he was seeking protection. Spiteri received Moreno shortly afterwards at which time Moreno handed him a declaration explaining his petition. Moreno's lawyers arrived at the Nunciature's offices within a few minutes along with numerous student supporters of Moreno. Spiteri indicated that the timing of Moreno's re-emergence is also significant. March 13 marks the 20th anniversary of the founding of the student organization Moreno heads, Movement 13 (M-13). It is also the date when universities around the country celebrate their autonomy. Spiteri said he was familiar with Moreno's case but had not spoken with him prior to his petition.

[1](#)3. (C) Spiteri noted that there is a long tradition in Latin America of opposition leaders requesting protection from diplomatic missions. He said former President Caldera and others were given temporary protection in the Nunciature during the Perez Jimenez dictatorship in the 1950s. He also said the Nunciature believes Moreno's fears of persecution

are credible. Spiteri cited the BRV's criminal charges against Moreno, saying the BRV is taking his actions in May 2006 "out of context." He noted that his mission cannot provide Moreno with political asylum as such, but has extended him "diplomatic protection for humanitarian reasons." He added he did not expect this matter to be resolved quickly.

14. (C) The Nunciature contacted Ministry of Popular Power for Foreign Affairs (MPPFA) officials soon after Moreno's appearance. FM Maduro met March 14 with Nuncio Giacinto Berloco and "reacted strongly" to the Nuciature's position. Nevertheless, the MPPFA has agreed to work with Berloco's offices, and a follow-up meeting is likely in the coming days, according to Spiteri.

Accusations of U.S. Involvement

15. (C) The FBE issued a press release March 17 claiming the student clashes at the ULA in May 2006 formed part of larger international campaign against Venezuela. The press released named three non-governmental organizations, Citizens of Democracy, Uniandes, and Program American University, as allegedly receiving funding from the CIA through the National Endowment for Democracy. It incorrectly named Michele Lee of the Venezuelan-American Cultural Center (CEVAM) in Merida as a U.S. "consul" in that city, and accused her and the Ambassador of being the intellectual authors of the student demonstrations in Merida. Poloff spoke March 15 with Michele Lee. Lee maintained regular contact with Moreno through the CEVAM and during his months in hiding. She said she has advised Moreno's supporters to contact local human rights NGO COFAVIC regarding Moreno's case, but could not verify if they had done so. When asked about the timing of Moreno's re-emergence, Lee said it was becoming increasingly difficult

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for him to remain in hiding because people were frightened of possible BRV retaliation particularly because the BRV had stepped up its media campaign against Moreno and his close supporters.

Background on Moreno

16. (C) Moreno has a history of student activism and conflict with the BRV (ref a, b, c). He made national headlines after violent protests erupted between opposition and pro-government student groups in May 2006 at ULA in Merida following canceled student elections. Opposition groups accused National Guardsmen of violating university autonomy by entering its grounds, while pro-government groups accused Moreno and his supporters of attacking Guardsmen and brandishing weapons. The BRV also accuses Moreno of inciting public disorder during the coup of April 2002 in Merida state. Moreno's supporters claim he is being falsely accused, is a victim of a media harassment campaign, and express little faith in the judicial system's ability to try him fairly. Moreno is 32 and former president of the Federation of University Centers. He was a student at ULA and studied Political Science before going into hiding nine months ago.

Possible End-Games

17. (C) Embassy contacts suggest two possible, widely differing scenarios for resolution of Nixon's plea for asylum. In one, the BRV, in coordination with the Nunciature, would permit Moreno's departure to a third country, which would have agreed to grant Moreno asylum. This move potentially minimizes unwanted media attention and

relieves the BRV of an opposition leader with some regional following. Alternatively, the BRV could refuse to cooperate with the Nunciature and demand that Moreno be turned over to stand trial. In the meantime, the media campaign against Moreno continues. Pro-government Diario Vea March 15 headline reads: "Nunciature protects criminal" and includes a frontal picture resembling a mug shot with the words "Wanted: Murder, Sadist, Rapist" across it. The article refers to Moreno as a fugitive and condemns the church for protecting him. The FBE press release incorrectly accuses Moreno of attempted rape even after the policewoman dropped the charges. The radical Chavista television talk show "La Hojilla" accused the CIA of backing Moreno and named a local PAS employee as his "recruiter." (Note: Moreno participated in an International Visitor Program in 2004. End Note)

Comment

18. (C) Judging from the tone of this and other declarations by the BRV, it does not appear the government has any intention of withdrawing its charges against Moreno. That said, the BRV may at some point be happy to be rid of Moreno and agree to let him depart.

WHITAKER